80-2166

No._____

Office-Supreme Court, U.S.
FILED
JUN 22 1981
ALEXANDER L. STEVAS,
CLERK

IN THE SUPREME COURT OF THE UNITED STATES

October Term, 1980

Mary Taberoff,

Petitioner,

Equal Employment Opportunity Commission,

Intervenor Respondent

v.

Farmers Group, Inc., and

Farmers Insurance Group, Respondents

Petition for Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit

---

Mary Taberoff
P.O.Box 272
Kempner, Texas 76539

Mary Taberoff, Pro Se
Telephone: (512) 932-3129

PETITION FOR CERTIORARI

INTRODUCTION

The petitioner, Mary Taberoff, respectfully prays that a writ of certiorari issue to review the judgment of the United States Court of Appeals for the Ninth Circuit and that the Clerk of the Supreme Court of the United States will request the transfer of the complete record; "ORDER ON MOTION FOR STAY OF MANDATE" is granted on or before July 01, 1981 for filing such petition; on the MERITS of the case by Mary Taberoff, Pro Se.

DATE: June 18, 1981 Mary Taberoff

Mary Taberoff
P.O.Box 272,
Kempner, Texas 76539

Telephone: (512)
932-3129

RULE 21

THE PETITION FOR CERTIORARI

.1. The petition for writ of certiorari shall contain, in the order here indicated:

(a) 1. Should Mary Taberoff, sex, female be refused training and promotion to a higher classification for position of a Security Analyst?

Statement: Mary Taberoff belongs to a racial minority; she applied and was qualified for this job for which the employer Farmers Group, Inc., and Farmers Insurance Group was seeking applicants; that, despite her qualifications, she was rejected, sex, female; and that after her rejection, the position remained open and the employer continued to seek applicants from ONLY MALES with similiar or same qualifications except for the pretext of requiring a four year college degree not established as a business necessity.

(a) 2. Should Mary Tabereff, sex, Female have been paid one half as much as males for the work she was doing?

Statement: Mary Tabereff was hired as a Securities Accountant; her work was similiar, the same and same value to company as jobs held by males; as proven by the statistical evidense by the Equal Employment Opportunity Commission in their extensive investigation; and by the private attorneys.

3. Should Mary Tabereff have been fired by the company?

Statement: Mary Tabereff, sex, female was fired for seeking the training and promotion for job of Security Analyst; and for filing with the Equal Employment Opportunity Commission her complaints of sex, female discrimination; and trying to uphold and abide by the Civil Rights Act of 1964 as amended in 1972, TITLE VII.

(a) 4. Was it right for the company to "BLACKBALL", besmirch the name of Mary Tabereff by calling her a "Troublemaker", "Womenlibber" and interfering with her PROSPECTIVE ADVANTAGE to the extent that it was impossible for her to find salaried employment in any field; let alone finance? Statement: Mary Tabereff had at least seventy-five personal interviews for jobs; Finance and lower type jobs all suited to her background in business and work background at Farmers Group, Inc., Farmers Insurance Group; in addition to passing a Life Insurance Exam, and a NASD exam receiving both liscenses; also, the Pacific Stock Exchange exam further proving her qualifications for job of Security Analyst, plus four courses in finance while still employed.

5. Should Mary Tabereff, sex, female a member of the class action be punished and penalized by the various courts be-

(a) 5. (continued) cause Russell Specter, Attorney selected by the Equal Employment Opportunity Commission (NOT HER FREELY SELECTED ATTORNEY) refused to let her speak in the U.S.District Court; and also, penalized because Judge W.P.Gray did not ask Mary Taberoff, sex, female any questions in court at trial?

STATEMENT: Mary Taberoff had no finances to pay for attorneys or any investigation in such a Civil Rights Case that was so important and would entail several years of extensive investigation by the EEOC and private attorneys selected by this same agency; she had no choice ; Mr. Specter was not"freely chosen", and Judge W.P.Gray, U. S. District Judge was blatantly biased when he questioned all males in the courtroom, company witnesses, and not one question to Mary Taberoff, sex, female showing such disparaging treatment and a gross miscarriage of justice.

(a) 6. Should Mary Taberoff be punished, penalized and bereft as a Key Plaintiff in this Class Action from all the investigation by the EEOC and private attorneys showing"pattern and practice" in Farmers Group, Inc., and Farmers Insurance Group in their discriminatory employment practices.

Statement: Mary Taberoff opted out of the money judgment when the case was settled for $1,500,000.00; she accepted the judgment as a Class Representative and went into court on the Merits of her own case under Federal Rule 8 which specifies a "fair, just and speedy trial" which she never get; as the decree was limiting and might have deprived her of "make whole" that Congress intended.

7. Should Mary Taberoff sex, female receive the following: (a) Back pay as a Security Analyst?

(b) Back pay since 1962 for being paid half as much as males?

(c) Cash and Deferred Profit Sharing plus all Investment

(a) 7 (continued) Earnings on same?

(d) Pension as if she had worked for the company for seventeen (17) years?

(e) Interest at the going rate?

(f) Longevity increases, after a five (5) and a ten(10) year work period?

(g) Triple damages for all the "BLACKBALLING" and interfering in her "PROSPECTIVE ADVANTAGE"?

STATEMENT: Mary Tabereff, sex, female was deprived of all the fringe benefits she had worked for ; ten and one-half (10½) years. She was harrassed, intimidated by her supervisors, Wm. Beck, L. Woo, R. Rudy, Treas., R. Hollyfield, Personnel Director and George Maslach, General Counsel because of her professionalism in seeking this promotion and higher classification for job of Security Analyst; and filing with the EEOC; in

(a) 7 continued:
addition to putting deregatory memos in her personnel file to downgrade her as a person, interfering in her work and then "SHE WAS SET UP AND FIRED", in spite of her fine work background and top appraisals in performance showing cooperation as one of her best assets and it was all this downgrading in court that the company got the decision in their favor against Mary Taberoff, sex, female whose personnel file helped win the class action suit, but the courts have deprived Mary of justice under the law as Congress intended.

(a) 8 Can the Courts imagine fifteen thousand employees, the majority females, W. P. Gray District Judge signing the decree in settlement for $1,500,000.00 because of the "Pattern and Practice" in the company's employment discrimination practices and to say that the company discriminated against all females and all minorities except ONE SINGLE FEMALE MARY TABEROFF?

(a) 8. continued:

STATEMENT: In the file of Mary Taberoff, sex, female was stated that their was no training or promotion available for females in the department; a letter in her file by the Farmers Group, Inc., Farmers Insurance Group Law Firm: EARLY, MASLACH, BOYD & LEAVEY, dated:September 11, 1973, stating," , since January 1, 1967, the paperwork form , "Request for Employee", which initiates hiring process, has not contained any reference to sex."; documentary evidence was introduced into court showing the same form they speak about with MALE REQUEST FOR JOB OF SECURITY ANALYST 1970, 1971, 1972; in addition a memo to Mary Taberoff from the Treasurer, R. W. Rudy speaking of the trainees as Security Analyst and then in Court saying that the company had no training for this job.

(a) 9. Was it right for the company to put a college degree requirement for the

(a) 9. continued: job of Security Analyst just because Mary Taberoff, sex, female asked for training and promotion for this higher classification when the other jobs, even higher in classification, same Investment Department did not have the same requirement and was never established that it was a business necessity?

STATEMENT: Evidence was produced in Court showing and verifying that this was used as a pretext ONLY because Mary Taberoff, sex, female asked for this training and promotion for job of Security Analyst. Frank Reinesto, male, did the same work as Mary Taberoff and he was promoted to Security Analyst and then to Sr. Security Analyst; he had no college degree.

(a)10. Is there justice for Irreparable Injury for Mary Taberoff under the law as Congress intended ?

STATEMENT: Farmers Group, Inc. et al, by their actions against me have caused me a great financial loss and ruining my name.

(b) The caption of the case in this Court contains the names of all parties.

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42USC 2000e-5 Enforcement provisions-Power of Commission to prevent unlawful employment practice

(a) The Commission is empowered, as herein-provided, to prevent any person from engaging in any unlawful employment practice as set forth in section 2000e-2 Or 2000e-3of this title. (Ch.21 p. 351, 42 USC)

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396 U.S. 258, 263,90 S.Ct.417,420,24 L Ed 2d 405, 410(1969)

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479 F 2d 354, 379 CA8(1973)

(All of the Authorities in I and II pertain to the Class Action and to Mary Taberoff as an individual) TO ALL QUESTIONS AND STATEMENTS PAGES 1-9 THIS FILING.

(d) Reference:

1. Order on Motion For Stay of Mandate dated June 9, 1981. No.79-33 53.

2. Order denying Petition for Rehearing and the suggestion for rehearing en banc is rejected dated May 28, 1981, NO. 79-3353.

3. Memorandum affirming judgment of United States District Court for the Central District of California, William P. Gray, District Judge, Presiding, dated April 13, 1981, NO 79-3353, D.C.NO.74-1108.

4. Determination by Equal Employment Opportunity Commission dated September 5, 1973.

(e) The jurisdiction of this Court is invoked pursuant to 42 U.S.C. Section 2000e/(f)3, et seq, 28 U.S.C. Sections 2201 and 2202, and 28 U.S.C. Section 1343 (4)

(e) continued: (i) MEMORANDUM Case NO. 79-3353, D.C.NO.74-1108 Filed: April 13, 1981.

(ii) Case NO.79-3353 ORDER DENYING PETITION FOR REHEARING and the suggestion for rehearing en banc is rejected Filed: May 28, 1981. Also, ORDER ON MOTION FOR STAY OF MANDATE Filed: June 9, 1981(to be filed in the Clerk's Office of the Supreme Court of the United States on or before July 01, 1981.)

D.C. CV 74-1108 WPG

(iv)"1254. Courts of appeals; certiorari; appeal; certified questions

Cases in the courts of appeals may be reviewed by the Supreme Court by the following methods: (1) By writ of certiorari granted upon the petition of any party to any civil or criminal case, before or after rendition of judgment or decree; "

(f) 42U.S.C. Section 2000e(f)3, et seq. 28 U.S.C. Sections 2201 and 2202, and 28 U.S.C.

(f) continued:
Section 1343 (4). Civil Rights Act 1964 Title VII as amended 1972. (Verbatim in appendix 1(k) of this Rule).

(g) This is a suit in equity authorized and instituted pursuant to Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, 42 U.S.C. Section 2000e, et seq., which provides for injunctive and other affirmative relief against discrimination in employment based on race, color, sex and national origin. (Plaintiffs allege, on their own behalf and on behalf of all others similarly situated:)

(i) 28 U.S.C. Section 1343. "Civil rights and elective franchise

(a) The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person

(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of

(i) continued: civil rights, including the right to vote....."

REASONS FOR GRANTING WRIT-CIVIL RIGHTS CASE TITLE VII-DISCRIMINATION IN EMPLOYMENT

(j) Mary Taberoff, sex, female is still a member of this class action suit; and this is an important case of National Public Interest and under the laws of Congress is Public Policy, a "right", a Constitutional doctrine, "IMPORTANT PUBLIC LAW ISSUE", and a MERITORIOUS PETITION FOR WRIT OF CERTIORARI AND MOTION TO VACATE THE JUDGMENT BELOW; and this filing is not to delay the case but to seek justice under the law; and she has exhausted every legal channel, ALL TIMELY filings seeking justice and finds herself appealing to the Supreme Court of the United States because the decisions of the lower Courts conflict with the decisions of this Court on these important issues. A full hearing on the MERITS , therefore, should be granted so the Court can vacate judgment.

APPENDIX

(k) 1 (f) VERBATIM:

Wests Annotated California Codes-Labor Code Sec. 1-3200-2 Page 200, #1053:

"Nothing in this chapter shall prevent an employer or agent employee, superintendent or manager thereof from furnishing, upon special request therefor, a truthful statement concerning the reason for the discharge of an employee or why an employee voluntarily left the service of the employer. If such statement furnishes any mark, or sign or other means conveying information different from that expressed by words therein, such fact that such statement or other means of furnishing information was given without a special request thereof is prima facie evidence of a violation of section 1050 to 1053.(Stats. 1937, C.90, P.211 #1053) cross reference(Evid. code #602).

NO. 1054 Violation; civil penalty

" In addition to and apart from the criminal penalty provided any person or

(k) 1 (f) VERBATIM: continued:

No. 1054 continued: agent or officer thereof, who violates any provision of sections 1050 to 1052, inclusive, is liable to the party aggrieved, in a civil action for treble damages. Such civil action may be brought by such aggrieved person or his assigns, or successors in interest without first establishing any criminal liability under this article."(Stats. 1937, C. 90, P.212, 1054).(Misdemeanor defined, see Penal Code #17)

No.1050 Privileges and Immunities

Chapter 4: "Reemployment Privileges-Misrepresentation preventing employment of former employee; misdemeanor. Any person or agent or officer thereof who after having discharged an employee from the service of such a person or after having paid off an employee voluntarily leaving such service, by any misrepresentation prevents or attempts to prevent the former employee

(k) 1(f) VERBATIM: continued: Chapter 4 continued: from obtaining employment is guilty of a misdemeanor." (Stats. 1937, C.90. P.211.No.1050)Cross Reference: Civil Liberty see No. 1054.

No. 1052 Permitting Violation; Misdemeanor

"Any person who knowingly causes, suffers, or permits an agent, superintendent, manager or employee in his employ to committ a violation of sections 1050 and 1051 or who fails to take all reasonable steps within his power to prevent such violation is guilty of a misdemeanor."(Stats. 1937, C.90 P.211 No.1052).

1981 "All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other". 42 U.S.C. 1981 Ch.21,P. 210,211;(U.S.C.A. Const. Amend. 14,1,Cr.Ref.)

(k) 1 (f) VERBATIM:

42/ U.S.C. 2000e-3 "Other unlawful employment practices-Discrimination for making charges, testifying, assisting, or participating in enforcement proceedings

(a) It shall be an unlawful employment practice for an employer to discriminate against any of his employees or applicants for employment, for an employment agency, or joint labor-management committee controlling apprenticeship or other training or retraining , including on-the-job training programs, to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he has opposed any practice made unlawful employment practice by this subchapter, or because he has made a charge , testified, assisted, or participated in any manner, proceeding, or hearing under this subchapter." (Ch.21, Page 344, 42USC)

28 U.S.C. 2201. Creation of remedy/Chapter

(k) 1 (f) continued: 151- DECLARATORY JUDGMENTS) (Page 412 and 413)

"In a case of actual controversy within its jurisdiction, except with respect to Federal taxes, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have force and effect of a final judgment or decree and shall be reviewable as such." June 25, 1948 ,...Pub.L.85-508, 12(p),72 Stat.349.(All amendments to 1958 listed. I used Central Texas College Law Library which is not 100% up-to-date)

2202. Further Relief

"Further necessary or proper relief based on a declaratory judgment or decree may be granted, after reasonable notice and hearing, against any adverse party whose

(k) 1 (f) continued: rights have been determined by such judgment. June 25, 1948, c. 646, 62 Stat. 964 , Historical and Revision notes et seq.

29CFR 1607.11 Disparate Treatment. Equal Employment Opportunity Commission:

"The principle of disparate or unusual treatment must be distinguished from the concepts of test validation. A test or other employee selection standard - even though validated against job performance in accordance with the guidelines in this part-cannot be imposed upon any individual or class protected by title VII where other employees, applicants or members have not been subjected to that standard. Disparate treatment, for example , occurs where members of a minority or sex group have been denied the same employment promotion, transfer or membership opportunities as have been made available to other employees or applicants. Those employees or applicants who have been denied equal

(k) 1 (f) continued: treatment, because of prior discriminatory practices or policies, must at least be afforded the same opportunities as had existed for other employees or applicants during the period of discrimination. Thus, no new test or other employee selection standard can be imposed upon a class of individuals protected by title VII who, but for prior discrimination would have been granted the opportunity to qualify under less stringent selection standards previously in force". (Page 305 and 306 Title 29, Labor, Rules and Regulations, revised as of January 1, 1971)

29CFR Part 160411(c) FR25024."Sexual Harrassment is an unlawful employment practice (There are many forms of sexual harrassment, sex, female.) Vol. 45 No.219 November 10, 1980, Rules and Regulations. 1604.11a(3): Harrassment on the basis of sex is a violation of Sec.703 of Title VII. (3) such conduct has the purpose or effect

(k) 1 (f) continued: of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment". FR Vol.45 No.219 November 10, 1980, Rules and Regulations.

(i) Copies from the U. S. Court of Appeals from the Ninth Circuit:

1. Order on Motion For Stay of Mandate.

2. Order denying Petition for Rehearing and suggestion for rehearing en banc is rejected.

3. Memorandum affirming judgment of U. S. District court for the Central District of California.

(ii) Determination Letter by the Equal Employment Opportunity Commission.

(iii) Judgment, June 11, 1979 signed by: William P. Gray, United States District Judge against Mary Taheroff.(Volume 3 sent to U.S.Court of Appeals Ninth Cir. Voluminous). Rehearing denied.

(k)
(i) APPENDIX

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED
JUN-9, 1981
Richard H. Deane
Clerk, U.S. Court of Appeals

MARY TABEROFF, Plaintiff/Appellant,) No. 79-3353
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff/Intervenor,) DC CV 74-1108 WPG
vs.
FARMERS GROUP, INC., and FARMERS INSURANCE GROUP, Defendants/Appellees.

ORDER ON MOTION FOR STAY OF MANDATE
(Rule 41 (b) Fed. R. App. P.)

Upon due consideration of appellant motion for stay of the mandate of this Court in the above cause pending the filing, consideration and disposition by the Supreme Court of the United States of a petition for writ of certiorari, such petition to be filed in the Clerk's Office of the Supreme Court of the United States on or before July 01, 1981.

IT IS ORDERED that the motion for stay of mandate be, and the same is hereby granted.*

Richard Chambers
United States Circuit Judge

(k)
(1) * In the event that the motion for stay of mandate and the petition for writ of certiorari are granted, then this stay will continue pending the final disposition of the case by the Supreme Court of the United States.

CA9-003 (12/3/79)

(k)
(i)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED
MAY 28 1981
RICHARD H. DEANE
Clerk, U.S. Court of
Appeals

MARY TABEROFF,
Plaintiff-Appellant,

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,
Plaintiff-Intervenor

vs.

FARMERS GROUP, INC., and
FARMERS INSURANCE GROUP,
Defendant-Appellee.

No. 79-3353

ORDER DENYING PETITION FOR REHEARING

Before: CHAMBERS and FARRIS, Circuit Judges, and BILBY, District Judge.

The panel as constituted above has voted to deny the petition for rehearing. Judge Farris has voted to reject the suggestion for rehearing en banc and Judges Chambers and Bilby have recommended rejection of the same.

The full court has been advised of the suggestion for rehearing en banc and no judge of the court has requested a vote on the

(k) (1)suggestion for rehearing en banc. Fed. R.App.P.35(b).

The petition for rehearing is denied and the suggestion for rehearing en banc is rejected.

(k)(1)

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED APR 13 1981
RICHARD H.DEANE
Clerk,U.S.Court
of Appeals

MARY TABEROFF, et al., Plaintiffs,	No. 79-3353
and	No. 79-3578
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Plaintiff-Intervenor-Appellee,	DC No. 74-1108
vs.	
FARMERS INSURANCE GROUP, et al., Defendants-Appelles,	MEM-ORAN-DUM
vs.	
EVA GASKILL, LUPE GUTIERREZ, EDITH VOLKER, MARY TORRES and VIRGINIA ALEXANDER, Appellants.	

Appeal from the United States District Court for the Central District of California William P.Gray, District Judge, Presiding

Before: CHAMBERS and FARRIS, Circuit Judges and BILBY*, District Judge

These cases arise out of a class action suit initiated under Title VII,

(k) (i) 42 U.S.C. 2000e et seq. against various companies managed by Farmers Group. The complaint alleged various practices and patterns of discrimination against various minority groups. The Equal Employment Opportunity Commission intervened on behalf of the plaintiff class as an additional plaintiff.

---

* Honorable Richard M. Bilby, United States District Judge, District of Arizona, sitting by designation.

No.79-3578

FOR JUDICIAL ECONOMY I AM NOT RECORDING AS IT IS A COMPLETELY DIFFERENT TYPE OF CASE EVEN THOUGH IT STEMS FROM THE ORIGINAL.

NO.79-3353

Appellant Mary Taberoff, one of the original plaintiffs "opted out" of the settlement and proceeded to trial on the merits of her own individual claim.

The district court at conclusion of appellant's case granted the Farmers Group' motion to dismiss. The court specifically found:

(k) (i) 19. Taberoff was not qualified for the Securities Analyst position she sought, and that therefore she was not denied a promotion because of her sex.

20. Taberoff had presented no evidence in support of her claim that the pay she received for her duties was any different from that received by mail employees in her office for performing duties requiring the same skill , effort and responsibility.

21. Taberoff's termination by Farmers was justifiable and was not for discriminatory or retaliatory reasons.

22. Farmers did not retaliate or discriminate against Taberoff when she sought other employment.

An exhaustive review of the evidence properly before the district court indicates that there was substantial evidence supporting the court's findings.

Appellant raises a new issue on appeal, claiming she was prejudiced by her counsel not allowing her to testify. This tactical

(k) (i)

decision made by her freely chosen counsel does not constitute grounds for reversal. Polizzi v. United States,550 F 2d 1133 (9th Cir. 1976); Kuhl v. United States, 370 F 2d 20(9th Cir. 1966) (en banc).

We AFFIRM both cases.

(k) (ii) Inv.Anderson, Betty R.
Equal Employment Opportunity Commission
1543 West Olympic Boulevard,Suite340
Los Angeles, California 90015

CERTIFIED MAIL SEP 5 1973
RETURN RECEIPT REQUESTED

In reply refer to:
CaseNo. YLA4 001
Charge No. TLA0 0780

Mary Taberoff
9305 Charleville Boulevard
Beverly Hills, California 90054 Charging Party

Farmers Insurance Group
4680 Wilshire Blvd.
Los Angeles, California 90054 Respondent

DETERMINATION
(BECAUSE OF JUDICIAL ECONOMY I AM ONLY SHOWING A FEW EXCERPTS)

".....Respondent Employer states that Charging Party was not promoted because she lacked the necessary background, i.e. a college degree, for the position of Security Analyst." P. 1 Para.3

"Respondent's records contained a Requestfor Employee dated May 18, 1971 for a "Sr. Securities Analyst." However, the abbreviation "Sr" and "#5734" are in handwriting while the other information has been typed. The word "Replacement" has been marked with an "x" and on that line also appears "Male" and "Female" and an "X"appears next to "male". Respondent admits that there has never been a female employed in the Security Analyst's position."P.2 Para.1

" The evidence shows that Charging Party requested, in writing, a promotion to the

(k) (ii)

Security Analyst position in March 1968. Charging Party'spersonnel folder contains a memo written by a Respondent Employer official which states, in part:

> "(Charging Party) has on previous occasions requested on opportunity to become a Financial Analyst in the Investment Department. I had explained to her that I was sorry she did not meet our qualifications for the position. I explained again to her that I was now seeking a male senior analyst with 3 to 5 years experience who could give us immediate assistance and could be trained as a possible backstop for me. I explained that she did not qualify by reason of education or experience.". P 2, Para.3

"Records show and Respondent Employer admits that it did promote a male to the Security Analyst position who did not have a college degree. This man and Charging Party have similiar employment background with Respondent Employer." P.2,Para.4

"Based on the foregoing , we find reasonable cause to believe that Respondent has excluded females as a class from the Security Analyst position, and that Charging Party was denied a promotion to that position because of her sex." P.3 Para 5

(k) (iii) 'Because of Judicial Economy top listed Defendant's attorneys left out, Mary Taberoff, personally, never presented any evidence)

LODGED Apr 25 1979
FILED JUN 11 1979
Clerk, U.S.District Ct.
Central Dist. of Calif.
By Deputy

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

MARY TABEROFF, Plaintiff,	Civil Action No.74-1108-WPG
v.	
FARMERS GROUP, INC., Defendant.	JUDGMENT

MICROFILMED
JUN 18 1979

The within matter having been tried by this Court sitting without a jury on April 10 and 11, 1979, before the Honorable William P. Gray, United States District Judge; Gibson, Dunn & Crutcher by Jack H. Halgren, appearing as counsel for defendent; Russell Specter appearing as counsel for plaintiff, the Court having heard and considered all of the evidence presented by and on behalf of plaintiff and defendant having observed the demeanor of the witnesses, having considered all briefs of counsel and the pretrial order and other matters herein, having heard and considered the arguments of counsel, the Court being fully advised in the premises, and having made

(k) (iii) its Findings of Fact and Conclusions of Law, directing that judgment be entered herein in accordance with said Findings of Fact and Conclusions of Law;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the First Amended Complaint in the within action, and each and every claim for relief therein, as said Complaint and claims relate to the individual case of Mary Taberoff, be and hereby is dismissed, and that plaintiff Mary Taberoff take nothing by this action.

2. That each party shall bear its own costs of suit incurred herein.

DATED June 11, 1979

William P. Gray
United States District Court

(NOTE: Mary Taberoff filed with EEOC April, 1970
U.S.District Court Approx. April, 1974
(1970 to June 1981, over 11 years)

APPENDIX

(k) (iv) OTHER APPENDED MATERIALS

(Because of Judicial Economy only excerpts will be listed: ALL PART OF THE RECORD)

1. September 11, 1973

Lorenzo H. Traylor, Director
Equal Employment Opportunity Commission
1543 West Olympic Blouevard
Los Angeles, California 90015

Re: Case No. YLA4 001
Charge No. TLA0 0780

Mary Taberoff, EEOC
Letter of Determination, dated September 5, 1973

Dear Mr. Traylor:

"Farmers does not contend that the security analyst job is for males only. All jobs at Farmers are open to all qualified candidates. Further, since January 1, 1967 the paperwork form, "Request for Employee", which initiates the hiring process, has not contained any reference to sex." P. 1 Para. 3

Very truly yours,
EARLY, MASLACH, BOYD & LEAVEY

By:
Thomas A. Hoffman

(NOTE: Mary Taberoff has two forms attached PART OF RECORD)

REQUEST FOR EMPLOYEE

Classification & Number Securities Analyst #5321A Department Investment

Date Needed June 8, 1970 Date Requested June 1, 1970

Additional Employee x Temporary (How Long) 6-8 to 8-22, 1970 Summer Day x Night Part Time

Replacement Male x Female

Qualifications B.A.

Employee { Off Payroll / Transferred / Leave of Absence } Name

Age Employed Date

{ Requested by or Leaving from Dept. on Reason

Replacement Approved By

Requested by: Dept. Head

Additional Employees Approved By

E. G. McElroy for R. W. Rudy

Replaced by James T. Bridwell

Turnover count Date 6/8/70

PERSONNEL DEPT. COPY

PERS-180 2-61 1161 62 PRINTED IN U.S.A.

REQUEST FOR EMPLOYEE

Classification & Number 5451A ~~5321A~~ Securities Analyst Department Equities Investment

Date Needed _____ Date Requested _____

Additional Employee _____ Temporary (How Long) _____ Day _____ Night _____ Part Time _____

Replacement X Male X Female _____

Qualifications _____

Employee { Off Payroll / Transferred / Leave of Absence } James Birdwell (Name)

Age _____ Employed Date 6-8-70

{ Requested by or Leaving from Investment Dept. on 5-28-71 Reason Other employment (see attached)

Replacement Approved By _____ Requested by AM

Dept. Head

Additional Employees Approved By _____ Replaced By Frank Magallen 2/14/72

Turnover count _____ Date _____

PERSONNEL DEPT. COPY

PERS-100 2-61 1161 PRINTED IN U.S.A.

Personnel Dept.
Farmers Insurance Group

APPENDIX

(k) (iv)
2. FARMERS INSURANCE GROUP

APPRAISAL OF PERFORMANCE AND DEVELOPMENT
(Clerical)

Name: Mary Taberoff Dept. Investment
Date 3-18-63

Job Title and #Securities Accountant #0720
Date entered
This job: 1-2-62

Employment Date: 1-2-62 Office:LAHO
Previous
Job same

1. Summarize employee's over-all performance. The employee is Initiative and Very Cooperative. Has good knowledge of the Job Classification. Very Accurate with Figures For First Year on Job Classification. Cooperation is Her Big Asset.

2. Are there established performance standards for this job? NO

3. What were employee's quantitative achievements? The Employee is able to complete Reports within Above Average time required. Performs duties in job Classification with above average speed.

3. What were employee's qualitative achievements? Very Accurate on Reports Required on job Classification. Is very Responsible when delagated to proof read type written reports & etc.

5. Does employee wish to progress to a higher job level? N/A (BECAUSE NO OTHER HIGHER JOB CLASSIFICATION FOR FEMALE EMPLOYEE's AVAILABLE IN THE DEPT.)
If yes, does employee have the potential?

(k) (iv)

6. Is employee being trained for work in a higher level? N/A

7...

8. When will this training be completed? N/A

PROBATION EMPLOYEE PROGRESS REPORT

4/2/62

Name Mary Taberoff Dept. Treasurers Investment

Date employed 1/2/62 Classification #0931

Quantity of work	Above average producer
Quality of work	Very neat and accurate
Cooperation	Unusually cooperative
Dependability	Very reliable and conscientious, needs little supervision
Ability to learn	Readily understands and retains
Initiative	Outstanding
Judgment	Decisions most logical and well founded

NOTE: If employee is rated below average on any of the above factors, please outline the details on which you based your decision.

N/A

REVIEW....

Reviewed with Employee on 4-10-62

Manager (signed) Larry Woo (signed) Supervisor

(k) (iv)
FILED BY EEOC 11-13-75; THIS PAGE FROM EXCERPT A-1: PART OF RECORD:

(4) " IN 1974, the average monthly salary for women was $500 while the average monthly salary for men was $1035, more than double that of women. In 1973 and 1972, the average salary of male employees was also more than double the average salary of female employees."

FARMERS INSURANCE GROUP
JOB DESCRIPTION
SECURITIES ANALYST EQUITIES
Department #710 Salary Grade and Job No. 5451A - HO

QUALIFICATIONS
EDUCATION

College Degree - Business or Finance Major-MBA preferred.

Mim 1550 11/62

SECURITIES ANALYST BONDS 5452 A-HO
NO QUALIFICATIONS LISTED

SECURITIES ACCOUNTING SECTION SUPERVISOR 5453E - HO
NO QUALIFICATIONS LISTED

SENIOR SECURITIES ANALYST - EQUITIES 5734A - HO
NO QUALIFICATIONS LISTED

SENIOR SEC.ANALYST - BONDS 5735A-HO
NO QUALIFICATIONS LISTED

CONCLUSION

Irreparable injury has been committed against Mary Taberoff, sex, female by the Officers and Supervisors of Farmers Group, Inc., et al; wherefore, I pray this Court advance this case on the docket, order a speedy hearing at the earliest practicable date, vacate judgment, and compensate and "make whole" as Congress intended. The lower Court by it's decision has threatened the economic survival of millions of women and minorities in employment discrimination.

Thank you.

DATE June 18, 1981 Mary Taberoff

Mary Taberoff, Pro Se

(Note: If the writ is granted, I will abide by the rules of the Court and mail copy and notice to Respondent's attorney:

Jack H. Malgren, Attorney
Gibson, Dunn and Crutcher of Counsel
2029 Century Park East
Los Angeles, California 90067

and also, to: EEOC., Legal Div., Wash. D.C.

DATE: June 18, 1981 Mary Taberoff

Mary Taberoff, Pro Se

I, Mary Taberoff, Pro Se, under the penalty of perjury, hereby testify that everything that is in the request for writ of certiorari is true and correct to the best of my knowledge and all copies have been put in proper envelope, sealed and mailed from United States Post Office, Lampasas, Texas.

DATE: June 8, 1981 Mary Taberoff

MARY TABEROFF, PRO SE
P.O.Box 272,
Kempner, Texas 76539

Telephone:
(512) 932-3129

Sworn to and subscribed by Mary Taberoff, a credible person, before me, on this 18th day of June A.D. 1981.

Frances Porter

Frances Porter - Notary Public in and for the County of Lampasas, Texas

Commission expires 4-13-85